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W. L. W. W.
PATENT 11/23/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John S. Hendricks, et al. Attorney Docket No.: 5062
Serial No.: 08/958,088 Examiner: Christopher C. Grant
Filed: October 27, 1997 Group Art Unit: 2611
For: **DIGITAL CABLE HEADEND FOR CABLE TELEVISION
DELIVERY SYSTEMS**

This application is a continuation of patent application Serial No. 08/160,283, filed on December 2, 1993, which is a continuation-in-part of patent application Serial No. 07/991,074, filed on December 9, 1992.

Box Non-Fee Amendment
Assistant Commissioner of Patents
Washington, D.C. 20231

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RESPONSE

Technology Center 2600

Dear Sir:

This *Response* is filed in reply to the Paper No. 13, mailed November 4, 2002, in the above-referenced application. Paper No. 13 stated that the Applicants' August 19, 2002 communication was non-responsive since the communication allegedly failed to point out the patentable novelty in new claims 74-79. Applicants respectfully point the Examiner to the discussion on pages 8-10 of the Section 103(a) rejection of claims 67-69 over Nemirofsky and Wasilewski. This discussion points out novel features of these claims that Nemirofsky and Wasilewski do not disclose or suggest, in combination or alone. Some of this same reasoning is applicable to new claims 74-79. Therefore, the Applicants' communication does point out the patentable novelty of new claims 74-79.

More specifically, Nemirofsky or Wasilewski, alone or in combination, do not disclose or suggest, at least, "receiving ... a multiplexed signal containing a plurality of digital programs or channels ..." or "selecting the desired digital programs or channels ... wherein the selected digital programs or channels are a subset of the plurality of digital programs or channels contained in the multiplexed signal," as in claims 74-76. Likewise, Nemirofsky or Wasilewski,

alone or in combination, do not disclose or suggest, at least, "receiving ... a plurality of multiplexed signals, each multiplexed signal containing a plurality of digital programs or channels..." or "selecting the desired digital programs or channels ... wherein the selected digital programs or channels are a subset of the plurality of digital programs or channels contained in the multiplexed signals," as in claims 77-79. Therefore, claims 74-79 are patentable and a notice of allowance is respectfully requested.

Conclusion

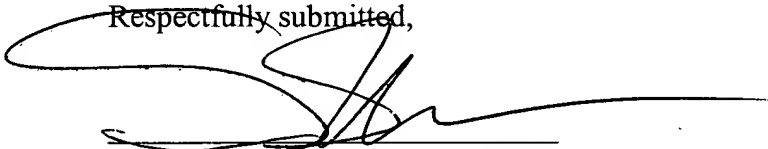
Applicants believe all the claims to be in condition for allowance, and a Notice of Allowability is respectfully requested.

The Commissioner is hereby authorized to charge any fees necessitated by this response or credit any overpayment to Deposit Account Number 04-1425. A duplicate copy of this response is enclosed for that purpose.

If the Examiner believes that any issues remain unresolved, he is invited to telephone the undersigned to expedite issuance.

Dated: November 21, 2002

Respectfully submitted,



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AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s):

Docket No.

5062

Serial No.
08/958,088Filing Date
10/27/1997Examiner
Christopher C. GrantGroup Art Unit
2611Invention: **DIGITAL CABLE HEADEND FOR CABLE TELEVISION DELIVERY SYSTEMS****TO THE ASSISTANT COMMISSIONER FOR PATENTS: RECEIVED****NOV 22 2002**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

Technology Center 2800**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	52 -	52 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	13 -	13 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
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- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Dated: November 21, 2002

Signature

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I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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